

REMARKS

Claims 1-9 and 23 have been rejected under 35 U.S.C. §112, first paragraph.

The Official Action takes the position that the specification does not disclose "an addressable memory". Applicants' specification, however, discloses the ability to access individual picture information that is stored within the memory. Furthermore, one of ordinary skill in the art recognizes that addressable memories (by themselves) are well known in the art of digital photography. In addition, the originally filed application at claim 21, line 15 discloses adjusting a print order. If the print order is adjustable, it is implicit that the memory from which the order is adjusted is addressable.

Thus, while the word "addressable" does not appear in the application, one of ordinary skill in the art would recognize that this feature would be supported. Notwithstanding the above, the word "addressable" has been removed from the claims for the sole reason that this is not a point of novelty and hence Applicants are entitled to broader claims without the "addressable" limitation.

The Official Action also indicated that there is no disclosure in the specification regarding selecting the processing method after the picture information is captured. This is respectfully traversed. At page 21, first paragraph, the specification states that the shutter button S1 is pressed. The text which follows on page 21 through 26 indicates ways of specifying how the picture information is to be processed. It is noted that this text follows the sentence on page 21, line 2 indicating that the shutter button S1 is pressed. Thus, the claimed feature of selecting the processing method after the picture information is captured is supported by the originally filed application. Withdrawal of this rejection is respectfully requested.

Claims 1 and 23 have been rejected under 35 U.S.C. §102(b) as being anticipated by Saito (U.S. Patent No. 5,153,729). It is respectfully submitted, however, that these claims are patentable over the art of record for the

reasons set forth below.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...a control information processor for storing...a processing method for indicating how said picture information is to be processed, said processing method selected after said picture information is captured...(emphasis added).

Applicants' representative has previously submitted this argument to the U.S. PTO. Applicants' representative is perplexed as to why this argument was not accepted.

Applicants' representative argues that the processing method is selected after the picture information is captured. In response, the Official Action argues that the processing method is stored after the picture is captured. Applicants' claim 1 recites that the processing method is "selected" while the Official Action responds by arguing that the processing method is "stored". Selecting a method and storing a method are two completely different actions. In Saito at column 4, line 52 et seq., it is stated that the control data (which includes the picture quality mode) is read responsive to a first stroke of the shutter release button. The image in Saito is not captured until the second stroke of the shutter release button. Thus, the picture quality mode is established prior to image capture. This is completely different than Applicants' claim 1 in which the processing method is selected after the picture is captured. Thus, claim 1 is patentable over Saito.

Claim 23, while not identical to claim 1, also recites that the processing method is selected after the picture information is captured. Thus, claim 23 is also patentable over the art of record for the reasons set forth above.

Claims 1-6 and 23 have been rejected under 35 U.S.C. §102(e) as being anticipated by Lourette et al. (U.S. Patent No. 5,978,016). It is respectfully submitted, however, that Applicants' claims are patentable over the art of record

for the reasons set forth below.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

...said picture information processed from said memory
while said memory is separated from said camera.

This is set forth in the originally filed application at page 14, line 2. No new matter has been added.

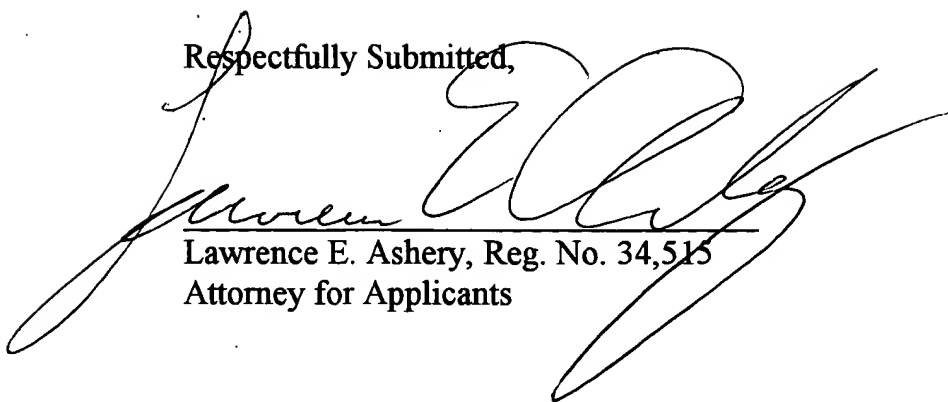
Applicants representative acknowledges that Lourette discloses a memory that this removable from the camera. However, Lourette is unable to process the information included in the memory unless the memory card is in the camera. Figure 19 of Lourette, for example, illustrates the image being downloaded from the camera. Furthermore, Lourette at column 12, line 45 indicates that the digital image is "only" utilized for display in the main screen display unit 36. Thus, Lourette contains absolutely no disclosure of obtaining image data from the memory when the memory is separated from the camera. For this reason, claim 1 is patentable over the art of record.

Again, claim 23, while not identical to claim 1, is also patentable because it includes features similar to those described above with reference to claim 1.

Claims 2-6 all include the features of claim 1 from which they depend. Thus, claims 2-6 are also patentable over the art of record for the reasons set forth above. Claim 7, 8 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Lourette in view of Petruchik. These claims, again, all include the features of claim 1 from which they depend. Thus, these claims are also patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully Submitted,



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Enclosure: Version with markings to show changes made

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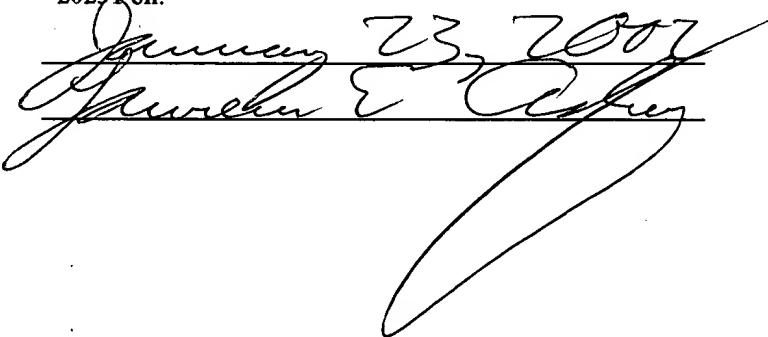
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January 23, 2002
Lawrence E. Ashery

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1 1. (As Amended) A digital camera comprising:
2 ~~an addressable~~ a memory which is separatable from said camera;
3 a picture capturing unit for capturing picture information
4 corresponding to an image and for storing said picture information in said
5 memory; ~~and~~
6 a control information processor for storing in said memory a
7 processing method for indicating how said picture information is to be processed,
8 said processing method selected after said picture information is captured, said
9 processing method remaining in said memory after said memory is separated from
10 said camera; and
11 said picture information processed from said memory while said
12 memory is separated from said camera.

1 23. (As Amended) A picture transmission system comprising a
2 digital camera and a picture transmission unit said digital camera comprising:
3 ~~an addressable~~ a memory which is separatable from said camera;
4 a picture capturing unit for capturing picture information
5 corresponding to an image and for storing said picture information in said
6 memory; ~~and~~
7 a control information processor for storing in said memory a
8 processing method for indicating how said picture information is to be processed,

9 said processing method selected after said picture information is captured, said
10 processing method remaining in said memory after said memory is separated from
11 said camera;

12 said picture information processed from said memory while said
13 memory is separated from said camera;

14 and said picture transmission unit comprising:

15 processing means for performing transmission according to picture
16 information stored in said memory;

17 processing control information obtaining means for obtaining
18 transmission control information relating to said picture to be transmitted from
19 said memory; and

20 processing control means for instructing said processing means to
21 transmit said picture.

Claims 34-39 are newly added.